IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

WP(C).No. 17538 of 2006(K)

OS.423/2001 of MUNSIFF COURT, ALUVA

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PETITIONER:

JAMES K.L., AGED 50 YEARS, S/O. LASER,
RESIDING AT KALATHIPPARAMBIL HOUSE,
THEKKUMBHAGAM DESOM, ALUVA TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.C.A.NAVAS
SRI.T.A.SHABEERALI
SRI.P.M.ABDUL JALEEL
SRI.T.K.SASIKUMAR

RESPONDENT:

JOSEPH K.C., S/O. KOCHOUSEPH,
CHENGAL HOUSE, SREEMOOLANAGARM
KARA, CHOWARA VILLAGE, ALUVA TALUK,
ERNAKULAM DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.P. Balachandran, J.

W.P.(C)No. 17538 of 2006 K

JUDGMENT

Petitioner is the judgment debtor in O.S.No. 423/01 on the file of the Munsiff's Court, Aluva, against whom, warrant is ordered for realisation of the debt. Counsel for the petitioner submits that certain amounts are deposited by the petitioner towards the decree debt, which, inter alia, takes in Rupees five thousand and Rupees ten thousand deposited respectively pursuant to the orders of this Court dated 18.7.2005 and 2.8.2005; Rupees six thousand deposited on 26.7.2006 and a further amount of Rupees five thousand paid pursuant to the order of this Court dated 5.7.2006 and that he will pay the entire balance amount in two equal monthly instalments.

2. In the result, the petitioner is directed to make payment/deposit of the entire balance

decree debt in two equal monthly instalments. The first instalment shall be paid/deposited on or before 28.2.2007 and the second and last instalment shall be paid/deposited positively on or before 27.3.2007. In case the first instalment is not paid on or before 28.2.2007, the entire balance decree debt shall become recoverable forthwith and the execution court shall proceed with coercive steps for realisation of the entire balance amount in lump.

This writ petition is closed with the above directions. The petitioner is at liberty to produce a copy of this judgment before the Execution Court.

19th February, 2007 (K.P.Balachandran, Judge)

tkv